

this section, and the withholding of funds authorized by subsection (d) shall apply to payments under parts B and E of title IV of the Social Security Act (42 U.S.C. 621 et seq., 671 et seq.) for calendar quarters beginning on or after such date.

(2) **EXCEPTION.**—If legislation (other than legislation appropriating funds) is required for a governmental entity to bring itself into compliance with this section, the governmental entity shall not be regarded as violating this section before the 1st day of the 1st calendar quarter beginning after the 1st regular session of the legislative body that begins after the date of the enactment of this section. For purposes of the preceding sentence, if the governmental entity has a 2-year legislative session, each year of the session is deemed to be a separate regular session.

(h) **DEFINITIONS.**—In this section:

(1) **CHILD WELFARE SERVICE PROVIDER.**—The term “child welfare service provider” includes organizations, corporations, groups, entities, or individuals that provide or seek to provide, or that apply for or receive a contract, subcontract, grant, or subgrant for the provision of, child welfare services. A provider need not be engaged exclusively in child welfare services to be considered a child welfare service provider for purposes of this section.

(2) **CHILD WELFARE SERVICES.**—The term “child welfare services” means social services provided to or on behalf of children, including assisting abused, neglected, or troubled children, counseling children or parents, promoting foster parenting, providing foster homes or temporary group shelters for children, recruiting foster parents, placing children in foster homes, licensing foster homes, promoting adoption, recruiting adoptive parents, assisting adoptions, supporting adoptive families, assisting kinship guardianships, assisting kinship caregivers, providing family preservation services, providing family support services, and providing time-limited family reunification services.

(3) **STATE.**—The term “State” means each of the 50 States, the District of Columbia, any commonwealth, territory or possession of the United States, and any political subdivision thereof, and any Indian tribe, tribal organization, or tribal consortium that has a plan approved in accordance with section 479B of the Social Security Act (42 U.S.C. 679c) or that has a cooperative agreement or contract with one of the 50 States for the administration or payment of funds under part B or E of title IV of the Social Security Act.

(4) **FUNDING; FUNDED; FUNDS.**—The terms “funding”, “funded”, or “funds” include money paid pursuant to a contract, grant, voucher, or similar means.

(5) **ADVERSE ACTION.**—The term “adverse action” includes, but is not limited to, denying a child welfare service provider’s application for funding, refusing to renew the provider’s funding, canceling the provider’s funding, declining to enter into a contract with the provider, refusing to renew a contract with the provider, canceling a contract with the provider, declining to issue a license to the provider, refusing to renew the provider’s license, canceling the provider’s license, terminating the provider’s employment, or any other adverse action that materially alters the terms or conditions of the provider’s employment, funding, contract, or license.

**SA 6499.** Mr. CRUZ submitted an amendment intended to be proposed by him to the bill H.R. 8404, to repeal the Defense of Marriage Act and ensure respect for State regulation of marriage,

and for other purposes; which was ordered to lie on the table; as follows:

After section 4 of the bill, insert the following:

**SEC. 4A. LIMITS ON RECOGNITION OF CERTAIN MARRIAGES.**

(a) **NO RECOGNITION OR FULL FAITH AND CREDIT FOR POLYGAMOUS MARRIAGES.**—

(1) **IN GENERAL.**—Nothing in this Act, or any amendment made by this Act, shall be construed—

(A) to require or authorize Federal recognition of a polygamous marriage;

(B) to give full faith and credit to an act, record, or proceeding pertaining to a polygamous marriage; or

(C) to require or authorize recognition of a right or claim arising from a polygamous marriage.

(2) **COVERED MARRIAGE.**—In this subsection, the term “polygamous marriage” means a marriage that is not a union—

(A) between no more than 2 or less than 2 individuals; and

(B) in which each of those individuals is in only 1 marriage.

(b) **NO FULL FAITH AND CREDIT FOR MARRIAGES IN WHICH A PARTY IS BELOW A CERTAIN AGE LIMIT.**—

(1) **IN GENERAL.**—Nothing in this Act, or any amendment made by this Act, shall be construed—

(A) to give full faith and credit in a second State to an act, record, or proceeding pertaining to a marriage in a first State if either party, on the date of the marriage, was under the age of consent for marriage in the second State; or

(B) to require or authorize recognition in a second State of a right or claim arising from a marriage in a first State if either party, on the date of the marriage, was under that age.

(2) **STATE DETERMINATION.**—Nothing in this Act, or any amendment made by this Act, shall prohibit a State from determining the age of consent for marriage in that State.

(c) **NO FULL FAITH AND CREDIT FOR MARRIAGES IN WHICH THE PARTIES ARE TOO CLOSELY RELATED.**—

(1) **IN GENERAL.**—Nothing in this Act, or any amendment made by this Act, shall be construed—

(A) to give full faith and credit in a second State to an act, record, or proceeding pertaining to a marriage in a first State in which the parties have a degree of consanguinity for which marriage is forbidden in the second State; or

(B) to require or authorize recognition in a second State of a right or claim arising from a marriage in a first State in which the parties have that degree of consanguinity.

(2) **STATE DETERMINATION.**—Nothing in this Act, or any amendment made by this Act, shall prohibit a State from determining the degree of consanguinity for marriage in that State.

**SA 6500.** Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 6487 proposed by Mr. SCHUMER (for Ms. BALDWIN (for herself, Ms. COLLINS, Mr. PORTMAN, Ms. SINEMA, Mr. TILLIS, and Ms. LUMMIS)) to the bill H.R. 8404, to repeal the Defense of Marriage Act and ensure respect for State regulation of marriage, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 6(b) and insert the following:

(b) **NO RECOGNITION OR FULL FAITH AND CREDIT FOR POLYGAMOUS MARRIAGES.**—

(1) **IN GENERAL.**—Nothing in this Act, or any amendment made by this Act, shall be construed—

(A) to require or authorize Federal recognition of a polygamous marriage;

(B) to give full faith and credit to an act, record, or proceeding pertaining to a polygamous marriage; or

(C) to require or authorize recognition of a right or claim arising from a polygamous marriage.

(2) **COVERED MARRIAGE.**—In this subsection, the term “polygamous marriage” means a marriage that is not a union—

(A) between no more than 2 or less than 2 individuals; and

(B) in which each of those individuals is in only 1 marriage.

(c) **NO FULL FAITH AND CREDIT FOR MARRIAGES IN WHICH A PARTY IS BELOW A CERTAIN AGE LIMIT.**—

(1) **IN GENERAL.**—Nothing in this Act, or any amendment made by this Act, shall be construed—

(A) to give full faith and credit in a second State to an act, record, or proceeding pertaining to a marriage in a first State if either party, on the date of the marriage, was under the age of consent for marriage in the second State; or

(B) to require or authorize recognition in a second State of a right or claim arising from a marriage in a first State if either party, on the date of the marriage, was under that age.

(2) **STATE DETERMINATION.**—Nothing in this Act, or any amendment made by this Act, shall prohibit a State from determining the age of consent for marriage in that State.

(d) **NO FULL FAITH AND CREDIT FOR MARRIAGES IN WHICH THE PARTIES ARE TOO CLOSELY RELATED.**—

(1) **IN GENERAL.**—Nothing in this Act, or any amendment made by this Act, shall be construed—

(A) to give full faith and credit in a second State to an act, record, or proceeding pertaining to a marriage in a first State in which the parties have a degree of consanguinity for which marriage is forbidden in the second State; or

(B) to require or authorize recognition in a second State of a right or claim arising from a marriage in a first State in which the parties have that degree of consanguinity.

(2) **STATE DETERMINATION.**—Nothing in this Act, or any amendment made by this Act, shall prohibit a State from determining the degree of consanguinity for marriage in that State.

**SA 6501.** Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 6482 submitted by Mr. LEE (for himself, Mr. CRAPO, Mr. CRUZ, Mr. GRAHAM, Mr. HAWLEY, Mr. MARSHALL, Mr. PAUL, Mr. SASSE, Mr. THUNE, Mr. WICKER, Mr. RISCH, Mr. BRAUN, Mr. JOHNSON, and Mr. SCOTT of Florida) and intended to be proposed to the bill H.R. 8404, to repeal the Defense of Marriage Act and ensure respect for State regulation of marriage, and for other purposes; which was ordered to lie on the table; as follows:

Insert before the title heading for title II the following:

**SEC. \_\_\_\_ LIMITS ON RECOGNITION OF CERTAIN MARRIAGES.**

(a) **NO RECOGNITION OR FULL FAITH AND CREDIT FOR POLYGAMOUS MARRIAGES.**—

(1) **IN GENERAL.**—Nothing in this Act, or any amendment made by this Act, shall be construed—

(A) to require or authorize Federal recognition of a polygamous marriage;

(B) to give full faith and credit to an act, record, or proceeding pertaining to a polygamous marriage; or

(C) to require or authorize recognition of a right or claim arising from a polygamous marriage.

(2) COVERED MARRIAGE.—In this subsection, the term “polygamous marriage” means a marriage that is not a union—

(A) between no more than 2 or less than 2 individuals; and

(B) in which each of those individuals is in only 1 marriage.

(b) NO FULL FAITH AND CREDIT FOR MARRIAGES IN WHICH A PARTY IS BELOW A CERTAIN AGE LIMIT.—

(1) IN GENERAL.—Nothing in this Act, or any amendment made by this Act, shall be construed—

(A) to give full faith and credit in a second State to an act, record, or proceeding pertaining to a marriage in a first State if either party, on the date of the marriage, was under the age of consent for marriage in the second State; or

(B) to require or authorize recognition in a second State of a right or claim arising from a marriage in a first State if either party, on the date of the marriage, was under that age.

(2) STATE DETERMINATION.—Nothing in this Act, or any amendment made by this Act, shall prohibit a State from determining the age of consent for marriage in that State.

(c) NO FULL FAITH AND CREDIT FOR MARRIAGES IN WHICH THE PARTIES ARE TOO CLOSELY RELATED.—

(1) IN GENERAL.—Nothing in this Act, or any amendment made by this Act, shall be construed—

(A) to give full faith and credit in a second State to an act, record, or proceeding pertaining to a marriage in a first State in which the parties have a degree of consanguinity for which marriage is forbidden in the second State; or

(B) to require or authorize recognition in a second State of a right or claim arising from a marriage in a first State in which the parties have that degree of consanguinity.

(2) STATE DETERMINATION.—Nothing in this Act, or any amendment made by this Act, shall prohibit a State from determining the degree of consanguinity for marriage in that State.

**SA 6502.** Mr. VAN HOLLEN (for Mr. LEAHY (for himself and Mr. GRASSLEY)) proposed an amendment to the bill H.R. 5796, to amend title 35, United States Code, to establish a competition to award certificates that can be redeemed to accelerate certain matters at the Patent and Trademark Office, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

#### **SECTION 1. SHORT TITLE.**

This Act may be cited as the “Patents for Humanity Act of 2022”.

#### **SEC. 2. AWARD OF CERTIFICATES TO ACCELERATE CERTAIN MATTERS AT THE PATENT AND TRADEMARK OFFICE.**

(a) AWARD.—Chapter 2 of title 35, United States Code, is amended by adding at the end the following:

##### **“§ 28. Award of certificates to accelerate certain matters at the Patent and Trademark Office**

“(a) DEFINITION.—In this section, the term ‘eligible entity’ means an entity that—

“(1) submits an application under subsection (d) for a patent that addresses a humanitarian issue; and

“(2) meets the requirements specified by the Director.

“(b) ESTABLISHMENT.—There is established a competition, to be held not less frequently than biennially, to award eligible entities certificates that can be redeemed to accelerate one of the following matters:

“(1) An ex parte reexamination proceeding, including 1 appeal to the Patent Trial and Appeal Board from that proceeding.

“(2) An application for a patent, including 1 appeal to the Patent Trial and Appeal Board from that application.

“(3) An appeal to the Patent Trial and Appeal Board of a claim twice rejected in a patent application or reissue application or finally rejected in an ex parte reexamination, without accelerating the underlying matter that generated the appeal.

“(4) A matter identified by the Director.

“(c) ADMINISTRATION.—The Director shall administer the competition established under subsection (b).

“(d) APPLICATION.—An entity seeking an award under subsection (b) shall submit to the Director an application at such time, in such manner, and containing such information as the Director may require.

“(e) PROMOTION OF COMPETITION.—The Director shall promote the competition established under subsection (b) through the satellite offices established pursuant to section 1.

“(f) TREATMENT AS SUCCESSOR.—The competition established under subsection (b) shall be treated as a successor to the Patents for Humanity Program (established in the notice entitled ‘Humanitarian Awards Pilot Program’, published at 77 Fed. Reg. 6544 (February 8, 2012)).”

(b) RULE OF CONSTRUCTION.—Nothing in this section, or the amendments made by this section, may be construed as affecting any action taken by the Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office before the date of enactment of this Act with respect to the administration of the Patents for Humanity Program established in the notice entitled “Humanitarian Awards Pilot Program”, published at 77 Fed. Reg. 6544 (February 8, 2012).

(c) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 2 of title 35, United States Code, is amended by adding at the end the following:

“28. Award of certificates to accelerate certain matters at the Patent and Trademark Office.”.

The PRESIDING OFFICER. The Senator from Maryland.

#### **PATENTS FOR HUMANITY ACT OF 2021**

Mr. VAN HOLLEN. Madam President, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of H.R. 5796 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 5796) to amend title 35, United States Code, to establish a competition to award certificates that can be redeemed to accelerate certain matters at the Patent and Trademark Office, and for other purposes.

There being no objection, the committee was discharged, and the Senate proceeded to consider the bill.

Mr. VAN HOLLEN. I ask unanimous consent that the Leahy substitute amendment at the desk be agreed to; the bill, as amended, be considered read a third time and passed; and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 6502), in the nature of a substitute, was agreed to as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

#### **SECTION 1. SHORT TITLE.**

This Act may be cited as the “Patents for Humanity Act of 2022”.

#### **SEC. 2. AWARD OF CERTIFICATES TO ACCELERATE CERTAIN MATTERS AT THE PATENT AND TRADEMARK OFFICE.**

(a) AWARD.—Chapter 2 of title 35, United States Code, is amended by adding at the end the following:

##### **“§ 28. Award of certificates to accelerate certain matters at the Patent and Trademark Office**

“(a) DEFINITION.—In this section, the term ‘eligible entity’ means an entity that—

“(1) submits an application under subsection (d) for a patent that addresses a humanitarian issue; and

“(2) meets the requirements specified by the Director.

“(b) ESTABLISHMENT.—There is established a competition, to be held not less frequently than biennially, to award eligible entities certificates that can be redeemed to accelerate one of the following matters:

“(1) An ex parte reexamination proceeding, including 1 appeal to the Patent Trial and Appeal Board from that proceeding.

“(2) An application for a patent, including 1 appeal to the Patent Trial and Appeal Board from that application.

“(3) An appeal to the Patent Trial and Appeal Board of a claim twice rejected in a patent application or reissue application or finally rejected in an ex parte reexamination, without accelerating the underlying matter that generated the appeal.

“(4) A matter identified by the Director.

“(c) ADMINISTRATION.—The Director shall administer the competition established under subsection (b).

“(d) APPLICATION.—An entity seeking an award under subsection (b) shall submit to the Director an application at such time, in such manner, and containing such information as the Director may require.

“(e) PROMOTION OF COMPETITION.—The Director shall promote the competition established under subsection (b) through the satellite offices established pursuant to section 1.

“(f) TREATMENT AS SUCCESSOR.—The competition established under subsection (b) shall be treated as a successor to the Patents for Humanity Program (established in the notice entitled ‘Humanitarian Awards Pilot Program’, published at 77 Fed. Reg. 6544 (February 8, 2012)).”

(b) RULE OF CONSTRUCTION.—Nothing in this section, or the amendments made by this section, may be construed as affecting any action taken by the Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office before the date of enactment of this Act with respect to the administration of the Patents for Humanity Program established in the notice entitled “Humanitarian Awards Pilot Program”, published at 77 Fed. Reg. 6544 (February 8, 2012).

(c) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 2 of title 35, United States Code, is amended by adding at the end the following:

“28. Award of certificates to accelerate certain matters at the Patent and Trademark Office.”.

The amendment was ordered to be engrossed and the bill to be read a third time.